

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### STATE BOARD OF EDUCATION

1. **Title and its heading:** 7, Education  
**Chapter and its heading:** 2, State Board of Education  
**Article and its heading:** 3, Curriculum Requirements and Special Programs  
**Section numbers:** R7-2-305 and R7-2-306
2. **Subject matter of the proposed rule:**  
The State Board of Education is proposing to add new rule, R7-2-305, to implement Senate Bill 1216, amending A.R.S. §15-203. The law, as amended, requires the State Board of Education to ensure that students in grades 4 through 6, at the commencement of the first class of the day, recite a specified passage from the Declaration of Independence.  
  
The State Board of Education is proposing to amend R7-2-306, Bilingual Programs and English as a Second Language Programs, to conform with recent changes ordered or approved by the Court in the case *Flores v. State of Arizona*.  
  
**The agency docket number, if applicable:**  
None
3. **A citation to all published notices relating to the proceeding:**  
None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Corinne L. Velasquez  
Address: State Board of Education  
1535 West Jefferson, Room 418  
Phoenix, Arizona 85007  
Telephone: (602) 542-5057  
Fax: (602) 542-3046
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
To be announced with the Notice of Proposed Rulemaking.
6. **A timetable for agency decision or other action in the proceeding:**  
To be announced with the Notice of Proposed Rulemaking.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF WATER RESOURCES

1. **Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 15, Department of Water Resources  
**Article and its heading:** 7, Assured and Adequate Water Supply  
**Section numbers:** R12-15-703.01
2. **Subject matter of the proposed rule:**  
Rulemaking undertaken pursuant to this docket opening will add a new Section to specify how an applicant for an assured water supply may establish and maintain legal availability of Colorado River Water or Central Arizona Project Water leased from an Arizona Indian community.

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**3. A citation to all published notices relating to the proceeding:**

The Department originally intended to incorporate these provisions in R12-15-703 and accordingly published a Notice of Rulemaking Docket Opening amending R12-15-703 in 6 A.A.R. 1915, May 26, 2000. No Notice of Proposed Rulemaking was or will be filed pursuant to that docket opening.

**4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Steve Rossi, Manager  
Office of Assured Water Supply

Address: Department of Water Resources  
500 North Third Street  
Phoenix, Arizona 85004

Telephone: (602) 417-2460

Fax: (602) 417-2423

OR

Name: Charles L. Cahoy, Deputy Counsel  
Legal Division

Address: Department of Water Resources  
500 North Third Street  
Phoenix, Arizona 85004

Telephone: (602) 417-2420

Fax: (602) 417-2415

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept written comments Monday through Friday between 8:00 a.m. and 5:00 p.m. until further notice is provided. Notice of an oral proceeding will be provided in a later edition of the *Arizona Administrative Register*.

**6. A timetable for agency decision or other action in the proceeding:**

Following close of the record and consideration of all written and oral submissions, it is the Department's intent to submit the rule package to the Governor's Regulatory Review Council as soon as possible.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF INSURANCE**

**1. Title and its heading:** 20, Commerce, Banking and Insurance

**Chapter and its heading:** 6, Department of Insurance

**Articles and their headings:** 18, Prepaid Dental Plan Organizations

**Section numbers:** To be determined

**2. Subject matter of the proposed rule:**

Prepaid Dental Plan Organizations (PDPOs) in Arizona have traditionally been subject to dual regulation by the Arizona Department of Health Services (ADHS) and the Arizona Department of Insurance (Department). The Department is the licensing authority and oversees financial condition, certain aspects of market conduct, policy forms and advertising, and disciplinary matters. ADHS oversees the health services aspect of the PDPO. During the 2000 Session, the Arizona Legislature passed SB 1172 which, effective July 1, 2001, places all regulatory authority over PDPOs with the Director of the Department (Director) and removes ADHS as a regulator of PDPOs. The proposed rules provide the framework for regulation of PDPOs by the Department.

The proposed rules will establish definitions, as well as requirements for application, monitoring, program of compliance, dental care plans, geographic areas served, the chief executive officer, the dental director, maintenance of dental records quality improvement, and other requirements necessary for regulation of prepaid dental plans. The Department intends to incorporate some or all requirements that currently exist in the ADHS rules under 9 A.A.C. 23, Article 4.

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**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Margaret L. McClelland  
Address: Department of Insurance  
2910 North 44th Street, Suite 210  
Phoenix, Arizona 85018  
Telephone: (602) 912-8456  
Fax: (602) 912-8452

**5. The time during which written submission may be made and the time and place where oral comments may be made:**

The Department will accept written comments during a public comment period that will be noticed in the publication of the proposed rulemaking. The Department will schedule oral proceedings, within the statutorily mandated timeframe, to be noticed in the *Arizona Administrative Register*.

**6. A timetable for agency decisions or other action in the proceeding:**

The Department expects to file a Notice of Proposed Rulemaking by the 1st quarter of 2001. The Department expects that final rules will be effective by July 1, 2001.